



**For march 13, 2001**

### **Corporate Income Tax Credits for Donations to Non-Profit Scholarship Funds**

SB 1048 by Sen. Ken Pruitt (R-Port St. Lucie) was approved by the Senate Education Committee today by a vote of 7 – 4. The bill provides corporate income tax credits for corporate donations to non-profit scholarship funds. The three democrats present voted in opposition to the bill. Opponents expressed concern that the scholarship monies could be used to allow children to relocate to other public schools or private schools. AIF supports this bill.

**Philosophically, AIF believes that any proposals that would promote and encourage competition in the education monopoly would be of tremendous benefit to our students. In addition, it is important to note that education is not simply an exercise in reading, writing and arithmetic. Many of the failing schools are predictably in the poorer sections of our state's towns and cities. Such scholarship funds will provide opportunities for these students from lower income neighborhoods to migrate to better schools in better areas. The ability to move to other schools provides for broader socialization, allowing the students to interact with students from all walks of life. Wasn't this the purpose of forced bussing promoted by our liberal friends not too many years ago?**

### **Unemployment Compensation**

The Senate Commerce and Economic Opportunities Committee approved SB 500 by Sen. Debbie Wasserman-Schultz (D-Pembroke Pines) today by a vote of 6-3. AIF opposed this bill. The bill prohibits denying unemployment compensation benefits for leaves of absence relating to adopting or giving birth to a baby. While well intentioned, the bill is yet another layer on both the unemployment compensation system and a well-designed and thorough body of law related to promoting childcare found in both state and federal law. As a benefit extension, it is potentially a cost-driver to a system that only recently found itself on sound financial footing. We will continue to work for the defeat of this bill.

### **Restrictions on First Class Care by Florida Doctors**

HB 159 Rep. Marco Rubio (R-Miami) was passed by the House Council for Healthy Communities by a vote of 13 – 2. The bill busts an agreement struck by the Florida Medical Association and the business community negotiated on the question of who is qualified within a Health Medical Organization (HMO) to make medical decisions on behalf of Florida patients. The bill passed in 2000 provides that all health plans are required to use licensed physicians rather than insurance personnel to make treatment decisions, or so-called "adverse determinations." The bill stipulates that only a *Florida* licensed physician can make determinations on a treatment plan. The committee passed the bill forgetting that the agreement

was reached last year to ensure that consumers are protected from decision-making driven purely by cost, while at the same time giving the health plan the authority it needs to get the best, competitive and most efficient care.

**While the law has only been in effect a few months, this bill, HB 159, was introduced. There is nothing that indicates that there are any problems with the law recently enacted, as the bill sponsor admitted in committee today. The bottom line is, the bill was introduced on behalf of the Florida doctors who wish to protect themselves from competition outside the state. Mr. Jon Shebel, AIF President and Chief Executive Officer testified in opposition to the bill, pointing out that such a proposal can only be about, "the money," since it is indefensible as a matter of public policy. Proponents of the bill argued that this legislation allows Florida's patients to receive "accountable care" from a doctor based in Florida, where disciplinary measures can take place. Lost on the committee is the fact that the Florida Board of Medicine has been extraordinarily lax, if not outright negligent with regards to ever disciplining a Florida doctor under any circumstances. This is a false argument anyway, since HMOs are held accountable, no matter where the doctor is located. Ultimately, this bill denies Florida's health plans the ability to access and maintain ongoing consultations and relationships with first-class expert doctors throughout the country and the world. We are disappointed in the committee's vote. We thank Rep. Ken Littlefield (R-Zephyrhills) and Rep. Curtis Richardson (D-Tallahassee) for their courageous votes against this bill.**

## **Court Reform**

The House Council for Smarter Government approved HB 367 by Rep. Fred Brummer (R-Apopka) today by a vote of 6-4. As we reported last week, under current law the Judicial Nominating Commission (JNC) is selected as follows; the Governor selects three members, the Florida Bar Board of Governors selects three members, and those six members select three more members. Under HB 367, the Governor selects all nine members. Of the nine, five would have to be "actively practicing" lawyers and the other four lay persons. The bill stipulates that the Governor must make appointments to each JNC. They must include representatives of each of the circuits or districts that comprise the court for which the JNC will make nominations. The bill removes all current JNC members and permits the Governor to select replacements. The bill does not prohibit the Governor from re-appointing the members currently in service. Finally, the bill provides that the terms of the JNC members are concurrent with the term of the Governor. All member terms end at midnight on the evening prior to the inauguration of the Governor following the next general election.

**The Judicial Nominating Commission process is established by statute and the legislature certainly has the purview to make changes. We support efforts to evaluate the courts' rightful, but limited role in our democratic process. Any efforts such as this bill merit careful consideration. This bill sets in motion a more accountable process, a process more accountable to the people, whom the Governor, the legislature and courts serve.**

Stay tuned to our daily brief and to our web site at [www.fbnet.com](http://www.fbnet.com) as the legislature makes some very important decisions on the state's economy. These decisions will have a major impact on the business community and AIF will be reporting to you everything that happens.

This report was prepared by Curt Leonard, Manager – Governmental Affairs at Associated Industries of Florida (AIF). Please send your comments or suggestions to us at [aif@aif.com](mailto:aif@aif.com) or call the Governmental Affairs department at (850)224-7173.

- For more information on all of the important legislative information concerning the business community, go to our “members only” Florida Business Network web site at <http://fbnnet.com>
- Send us your E-mail address and we will begin to send this report to you automatically via E-mail.